RECEIVED CENTRAL FAX CENTER

SEP 1 1 2007



FAX COVER PAGE

DATE: September 11, 2007

PAGES INCLUDING THIS PAGE: 27

TO: Examiner Anuradha Ramana, Group Art Unit 3733

FAX NUMBER: 571-273-8300

COMPANY: U.S. Patent and Trademark Office

PHONE NUMBER:

FROM: Douglas A. Collier

DIRECT DIAL: (317) 238-6333 FAX NUMBER: (317) 636-1507

RE: Response to Final Office Action for U.S. Patent Application No. 10/603,471 to Larry Gause et al.

COMMENTS: I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at 571-273-8300 on:

> September 11, 2007 (Date of Transmission)

Douglas A. Collier

Name of Registered Representative,

Signature

Hard copy will be sent via: Regular Mail

Overnight Courier

▼ Fax Communication Only

Client Matter No.:

333 MSDI-1

Name of Sender:

Douglas A. Collier

WARNING CONFIDENTIALITY NOTICE

The documents constituting this fax transmittal contain confidential information belonging to the sender which is legally privileged. The information is intended only for the use of the individual(s) or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance upon the content of this fax transmittal is strictly prohibited. If you have received this fax transmittal in error, please immediately notify us by telephone at the number below to arrange for return of the original documents to us. Thank you.

For Questions or Problems in Transmission, Please Contact our Fax Operators

KRIEG DEVAULT LLP ONE INDIANA SQUARE

Suite 2800 INDIANAPOLIS, IN 46204 TELEPHONE-(317) 636-

FAX-(317) 636-1507

KRIEG DEVAULT LLP

12800 N MERIDIAN STREET **SUITE 300**

CARMEL, IN 46032 TELEPHONE-(317) 566-

1110

FAX-(317) 636-1507

KRIEG DEVAULT GALVIN

LLP

5231 HOHMAN STREET HAMMOND, IN 46320

TELEPHONE-(219) 933-0380 FAX-(219) 933-0471 KRIEG DEVAULT LUNDY

LLP

825 ANTHONY WAYNE

BUILDING

203 EAST BERRY STREET Ft. WAYNE, IN 46802

TELEPHONE-(260) 422-

1534

FAX-(260) 423-1590

KD_IM-1126120_1.DOC

		Approved for	PTO/SB/21 (09-0 r use through 07/31/2006. OMB 0851-00	31	
Under the Paperwork Reduction Act of 1995, no per-	U.S. Po				
Under the Paperwork Reduction Act of 1995, no per-	Application Number	10/603,471		<u> </u>	
TRANSMITTAL	Filing Date	June 25, 2003		RECEI	VED
	First Named Inventor	Larry Gause et al.	CENT	RAL FA)	(CENTER
FORM	Art Unit	3733		med a	F000
	Examiner Name	Anuradha Ramana		EF 11	2007
(to be used for all correspondence after initial filing)	Attorney Docket Number MSDI-259/PC757.00		7		
Total Number of Pages in This Submission 26	Allome) Bodies	MSD-258FC151.00			
FNCLOSURES (Check all that apply)					
Fee Transmittal Form Fee Attached Amendment/Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53	Drawing(s) Licensing-related Papers Petition Petition to Convert to a Provisional Application Power of Attorney, Revocatic Change of Correspondence Terminal Disclaimer Request for Refund CD, Number of CD(s) Landscape Table on Commarks	on Address Fax C	After Allowance Communication to Appeal Communication to Board of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Other Enclosure(s) (please Identify below): cover Sheet		
SIGNATUS	RE OF APPLICANT, ATTO	DRNEY OR AGE	FNT	\dashv	
Firm Name	AL OF AFFLIOARITATIO				
Krieg Del/ault LLP	21				
Signature goodes U.	allei	·			
Printed name Douglas A. Collier		Dec No. 1			
Date September 11, 2007		Reg. No. 43,556			
I hereby certify that this correspondence is being sufficient postage as first class mail in an envelopment of the date shown below:	TIFICATE OF TRANSMIS of facsimile transmitted to the USF ope addressed to: Commissioner	TO or deposited with	n the United States Postal Service v t 1450, Alexandria, VA 22313-1450	vith on	
Signature Assures	G. Cellies				
Typed or printed name Douglas A. Collier			Dale September 11, 2007		

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED
CENTRAL FAX CENTER
SEP 1 1 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: La rr y Gause et al.)	Before the Examiner: Anuradha Ramana
Application Sérial No. 10/603,471)	Group Art Unit: 3733
Filed: June 25, 2003)	Attorney Ref. No.: MSDI-259/PC757.00
SYSTEM FOR STABILIZING A PORTION OF THE SPINE)	September 11, 2007

RESPONSE TO FINAL OFFICE ACTION

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action dated July 19, 2007, please enter and consider the following. No fees or extensions of time are believed due for consideration of this response. However, please provide any extensions of time necessary and charge any fees which may be due to Deposit Account No. 12-2424, but not to include any payment of issue fees.

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at 571-273-8300 on:

September 11, 2007
(Date of Transmission)

Douglas A. Collier
Name of Registered Representative
Signature

September 11, 2007

Date of Signature

Response to Final Office Action Application Serial No. 10/603,471 Atty Docket No. MSDI-259/PC757.00 Page 1 of 25